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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

,)	No. - PHX-MHM
Plaintiff,)	RULE 16 SCHEDULING ORDER
vs.)	
,)	
Defendant.)	
_____)	

On [date], a Scheduling Conference was held pursuant to Rule 16(b) of the Federal Rules of Civil Procedure. Prior to the conference, the parties filed a Rule 26(f) Case Management Plan and a Proposed Rule 16 Scheduling Order. Pursuant to the terms of the Case Management Plan, and the representations made by the parties at the Rule 16 Preliminary Pretrial Conference, all parties were ordered to comply with the deadlines established in this Order.

IT IS THEREFORE ORDERED:

1. That the current provisions of the Federal Rules of Civil Procedure shall apply to all proceedings concerning this case.
2. If the parties have not already done so, parties shall exchange Initial Disclosures as defined in Federal Rule of Civil Procedure 26(a) no later than _____.

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- 2 3. Motions pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, motions to
- 3 amend the complaint and motions to join additional parties shall be filed no later than
- 4 _____.
- 5 4. Plaintiff(s) shall disclose its (their) expert witnesses and reports no later than: _____;
- 6 Defendant(s) shall disclose its (their) expert witnesses and reports no later than _____.
7 Rebuttal experts if any, shall be disclosed no later than _____.
- 8 5. All discovery, including depositions of parties, witnesses, and experts, answers to
- 9 interrogatories, supplements to interrogatories, requests for admissions and requests
- 10 for production of documents must be completed by _____.
- 11 6. Supplemental disclosures and discovery responses shall thereafter be made as
- 12 required by Rule 26(e) of the Federal Rules of Civil Procedure. Interrogatories and
- 13 depositions are limited to the number set forth in the Federal Rules of Civil Procedure.
- 14 Parties are directed to LRCiv 7.2(j), which prohibits filing discovery motions unless
- 15 the parties have first met to resolve any discovery difficulties. If parties cannot reach
- 16 a resolution of discovery disputes they are directed to arrange a conference call with
- 17 the Court to resolve the disputes. This Order contemplates that each party will
- 18 conduct discovery in such a manner as to complete, within the deadline, any and all
- 19 discovery indicated by the initial rounds of discovery. Discovery which cannot be
- 20 timely responded to prior to the discovery deadlines will be met with disfavor, and
- 21 could result in denial of an extension, exclusion of evidence, or the imposition of
- 22 other sanctions.
- 23 7. All dispositive motions shall be filed no later than _____. Such motions must
- 24 be, in all respects, in full compliance with the Rules of Practice of the United States
- 25 District Court for the District of Arizona.
- 26 8. All parties are specifically admonished that pursuant to LRCiv 7.2(j), “[i]f a motion
- 27 does not conform in all substantial respects with the requirements of this Rule, or if
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2 the opposing party does not serve and file the required answering memoranda, or if
3 counsel for any party fails to appear at the time and place for oral argument, such non-
4 compliance may be deemed a consent to the denial or granting of the motion and the
5 Court may dispose of the motion summarily.”

6 9. A party desiring oral argument on a motion shall request argument by placing “Oral
7 Argument Requested” immediately below the title of such motion, pursuant to LRCiv
8 7.2(f). The Court will then issue a minute order scheduling the oral argument if
9 deemed necessary.

10 10. The Court will set a pretrial status hearing upon resolution of all dispositive motions,
11 at which time the parties should be prepared to discuss dates for the filing of the Joint
12 Proposed Pretrial Order and all Motions in Limine. The Court will also set a Final
13 Pretrial Conference and a firm trial date at the status hearing. In the event no
14 dispositive motions are filed, counsel are required to promptly notify the Court in
15 writing that there are no dispositive motions and that the case is ready for a trial
16 setting. Such notice shall be filed jointly by the parties/counsel no later than 14 days
17 after the dispositive motions deadline.

18 10. The parties shall keep the Court informed regarding the possibility of settlement and
19 should settlement be reached, the parties shall immediately file a Notice of Settlement
20 with the Clerk of the Court.

21
22 DATED this _____ day of _____, 2004.

23
24
25 _____
26 Mary H. Murguia
27 United States District Judge
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